



Journal of the House

State of Indiana

112th General Assembly

First Regular Session

Sixteenth Meeting Day

Monday Afternoon

February 5, 2001

The House convened at 1:00 p.m. with the Speaker in the Chair.

The invocation was offered by Reverend Peter J. Bunder, Purdue Episcopal Campus Ministry, West Lafayette, the guest of Representative Sue W. Scholer.

The Pledge of Allegiance to the Flag was led by Representative Michael A. Dvorak.

The Speaker ordered the roll of the House to be called:

T. Adams •	Hoffman
Aguilera	Kersey
Alderman	Klinker
Atterholt	Kromkowski •
Avery	Kruse
Ayres	Kruzan
Bardon	Kuzman
Bauer	Lawson
Becker	Leuck
Behning	Liggett
Bischoff	J. Lutz
Bodiker	Lytle
Bosma	Mahern
Bottorff	Mangus
C. Brown	Mannweiler
T. Brown	McClain
Buck	Mellinger
Budak	Mock •
Buell	Moses
Burton	Munson
Cheney	Murphy
Cherry	Oxley
Cochran	Pelath
Cook	Pond
Crawford	Porter
Crooks	Richardson
Crosby	Ripley
Day	Robertson
Denbo	Ruppel
Dickinson	Saunders
Dillon	Scholer
Dobis	M. Smith
Dumezich	V. Smith
Duncan	Steele •
Dvorak	Stevenson
Espich	Stilwell
Foley	Sturtz
Frenz	Summers
Friend	Thompson
Frizzell	Tincher
Fry	Torr
GiaQuinta	Turner
Goeglein •	Ulmer
Goodin	Weinzapfel
Grubb	Welch
Harris	Whetstone
Hasler	Wolkins
Herndon	D. Young
Herrell	Yount
Hinkle	Mr. Speaker

Roll Call 28: 95 present; 5 excused. The Speaker announced a quorum in attendance. [NOTE: • indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Thursday, February 8, 2001, at 10:00 a.m.

MOSES

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed Senate Bill 194 and the same is herewith transmitted to the House for further action.

MARY C. MENDEL
Principal Secretary of the Senate

Reassignments

The Speaker announced House Bill 1799 had been reassigned from the Committee on Ways and Means to the Committee on Human Affairs.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Commerce, Economic Development and Technology, to which was referred House Bill 1097, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 10, nays 0.

FRY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, to which was referred House Bill 1367, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 10, nays 2.

LIGGETT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, to which was referred House Bill 1395, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 10, nays 0.

LIGGETT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1430, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 9, nays 1.

STEVENSON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, to which was referred House Bill 1739, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 13, nays 0.

LIGGETT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, to which was referred House Bill 1789, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 13, nays 0.

LIGGETT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, to which was referred House Bill 1796, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 8, nays 3.

LIGGETT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Commerce, Economic Development and Technology, to which was referred House Bill 1882, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 8, nays 5.

FRY, Chair

Report adopted.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 2:35 p.m. with the Speaker in the Chair.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolution 20 and the same is herewith transmitted to the House for further action.

MARY C. MENDEL
Principal Secretary of the Senate

RESOLUTIONS ON FIRST READING**Senate Concurrent Resolution 20**

The Speaker handed down Senate Concurrent Resolution 20, sponsored by Representative Herndon:

A CONCURRENT RESOLUTION to recognize Thomas J. Howley for his effort in preserving the historical legacy of Indiana high school basketball.

Whereas, as the subject of books, movies, and folktales, Indiana high school basketball enjoys a legendary national reputation and holds a unique position with the citizens of this great State;

Whereas, capturing some of the history of Indiana high school basketball in the twentieth century, Thomas J. Howley recently completed the unprecedented task of having every living Indiana

Mr. Basketball autograph a set of two basketballs;

Whereas, together with his wife, Sandy, both co-wrote an interesting booklet describing the pursuit of these signatures, entitled "The Twentieth Century Ball;"

Whereas, to help raise funds for the athletic program, Tom and Sandy have donated these basketballs to the Triton Central High School athletic department to be auctioned on Saturday, March 3, 2001, at 1:00 p.m. in the high school gymnasium; and

Whereas, it is the wish of Tom, Sandy, and Triton Central High School that the purchaser of these basketballs donate them to the Indiana High School Basketball Hall of Fame, located in New Castle: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the people of Indiana are extremely grateful for Tom Howley's effort to preserve a part of Indiana's high school basketball history.

SECTION 2. That the Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Thomas J. Howley; Dr. Larry Moore, Superintendent of Northwestern Consolidated School District of Shelby County; the executive director of the Indiana High School Basketball Hall of Fame; and the executive director of the Indiana High School Athletic Association.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

HOUSE BILLS ON SECOND READING

The following bills were called down by their respective authors, were read a second time by title, and, there being no amendments, were ordered engrossed: House Bills 1147, 1219, 1233, 1247, 1307, 1605, 1608, 1810, and 1812.

House Bill 1009

Representative Cook called down House Bill 1009 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1009-2)

Mr. Speaker: I move that House Bill 1009 be amended to read as follows:

Page 1, line 4, delete "eighteen" and insert "**twelve**".

Page 1, line 5, delete "(18)" and insert "**(12)**".

Page 1, line 10, delete "eighteen (18)" and insert "**twelve (12)**".
(Reference is to HB 1009 as printed February 1, 2001.)

WOLKINS

The Speaker ordered a division of the House and appointed Representatives Kruzan and Bosma to count the yeas and nays. Yeas 45, nays 42. Motion prevailed.

HOUSE MOTION
(Amendment 1009-1)

Mr. Speaker: I move that House Bill 1009 be amended to read as follows:

Page 1, after line 16, begin a new paragraph and insert:

"(d) Subsection (c) does not apply to an individual operating a truck:

(1) in connection with an agricultural activity; or

(2) if the operator and the passengers in the open bed of a truck are eighteen (18) years of age or older."

(Reference is to HB 1009 as printed February 1, 2001.)

THOMPSON

Motion prevailed. The bill was ordered engrossed.

House Bill 1039

Representative V. Smith called down House Bill 1039 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1039-1)

Mr. Speaker: I move that House Bill 1039 be amended to read as follows:

Page 2, line 32, after "it" insert "**and publish a telephone number where the report can be requested**".

(Reference is to HB 1039 as printed February 1, 2001.)

V. SMITH

Motion prevailed. The bill was ordered engrossed.

House Bill 1118

Representative Day called down House Bill 1118 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1118-1)

Mr. Speaker: I move that House Bill 1118 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 3-6-6-10, AS AMENDED BY P.L.176-1999, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 10. (a) A county chairman may make nominations for precinct election offices by filing the nominations in writing with the circuit court clerk no later than noon fourteen (14) days before the election.

(b) This subsection does not apply to the office of precinct inspector. A county chairman may specify in the nomination of an individual for a precinct election office that the individual is nominated to serve until ~~noon~~ **1 p.m.** on election day and that another individual is nominated to serve in the same precinct election office beginning at ~~noon~~ **1 p.m.** on election day until the expiration of the term of the office under section 37(b) of this chapter.

SECTION 2. IC 3-6-6-11, AS AMENDED BY P.L.176-1999, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 11. (a) A county election board shall appoint the voters who are nominated for precinct election offices by the county chairmen.

(b) This subsection does not apply to the office of precinct inspector. This subsection applies to an appointment to a precinct election office made following a nomination by a county chairman under this chapter. The county election board shall provide that an appointment of an individual to a precinct election office:

- (1) expires at ~~noon~~ **1 p.m.** on election day; or
- (2) begins at ~~noon~~ **1 p.m.** on election day and expires under section 37(b) of this chapter;

if the nomination made by the county chairman specifies that the nomination is made for a term that begins or expires at those times.

(c) This subsection does not apply to the office of precinct inspector. This subsection applies to an appointment to a precinct election office made by a county election board under section 13(b) of this chapter. The county election board may appoint an individual to a precinct election office for a term that:

- (1) expires at ~~noon~~ **1 p.m.** on election day; or
- (2) begins at ~~noon~~ **1 p.m.** on election day and expires under section 37(b) of this chapter."

Renumber all SECTIONS consecutively.
(Reference is to HB 1118 as printed February 1, 2001.)

DAY

Motion prevailed.

HOUSE MOTION
(Amendment 1118-3)

Mr. Speaker: I move that House Bill 1118 be amended to read as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning elections and to make an appropriation.

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 3-5-3-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1. (a) Except as provided in sections 7 through 10 of this chapter **and section 12 of this chapter**, the county auditor shall pay the expenses of voter registration and for all election supplies, equipment, and expenses out of the county treasury in the manner provided by law. The county fiscal body shall make the necessary appropriations for these purposes.

(b) The county executive shall pay to the circuit court clerk or board of registration the expenses of:

- (1) removing voters from the registration record under IC 3-7-43, IC 3-7-45, or IC 3-7-46; and
- (2) performing voter list maintenance programs under IC 3-7;

out of the county treasury without appropriation.

(c) Registration expenses incurred by a circuit court clerk or board of registration for:

- (1) the salaries of members of a board of registration appointed under IC 3-7-12-9;
- (2) the salaries of chief clerks appointed under IC 3-7-12-17; and
- (3) the salaries of assistants employed under IC 3-7-12-19;

may not be charged to a municipality. However, the municipality may be charged for wages of extra persons employed to provide additional assistance reasonably related to the municipal election.

SECTION 2. IC 3-5-3-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 3. After a county election and registration fund has been established, the county shall budget and pay for all the expenses specified in section 1 of this chapter from the fund. The county may not use the money in the fund for any other purpose. Whenever a municipality reimburses the county for expenses under this chapter, the county shall deposit the money received from the municipality into the fund. **Whenever the auditor of state reimburses the county under section 12 of this chapter, the county shall deposit the money received from the auditor of state into the fund.**

SECTION 3. IC 3-5-3-12 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 12. (a) **The circuit court clerk of each county may submit to the auditor of state a claim for partial reimbursement of expenses incurred to employ poll workers at a general or primary election in the amount determined under subsection (b). A claim submitted under this section must be on a form prescribed by the state board of accounts. A circuit court clerk submitting a claim under this section shall attach to the prescribed form proof of the expenses for which the county seeks reimbursement.**

(b) **A claim for reimbursement submitted under subsection (a) may not exceed the amount determined under the following STEPS: STEP ONE: Determine the amount of money spent by the county to employ poll workers for the 2000 general election. STEP TWO: Multiply the STEP ONE amount by seventeen percent (17%).**

(c) **The auditor of state shall issue a warrant in the amount of each claim submitted to the auditor under this section. A claim submitted under this section must be paid from the state general fund.**

(d) **There is annually appropriated to the auditor of state from the state general fund an amount necessary to pay the claims submitted under this section."**

Renumber all SECTIONS consecutively.

(Reference is to HB 1118 as printed February 1, 2001.)

WHETSTONE

Representative Moses rose to a point of order, citing Rule 80, stating that the motion was not germane to the bill. The Speaker ruled the point was well taken and the motion was out of order.

APPEAL OF THE RULING OF THE CHAIR

Mr. Speaker: We hereby appeal the ruling of the Chair that Representative Whetstone's amendment (1118-3) is not germane to House Bill 1118. Representative Whetstone's amendment is germane, as required by Rule 80. The amendment provides a method for funding the work required for the additional hours polls will be open as mandated by the bill. The constitutional test for germaneness does not include an arbitrary provision that an appropriation amendment

cannot be amended into a non-appropriation bill, as ruled by the Chair.

WHETSTONE
MUNSON

The Speaker yielded the gavel to the Speaker Pro Tempore, Representative Dobis.

The question was, Shall the ruling of the Chair be sustained? Roll Call 29: yeas 50, nays 44. The ruling of the Chair was sustained.

The Speaker Pro Tempore yielded the gavel to the Speaker.

There being no further amendments, the bill was ordered engrossed.

House Bill 1222

Representative Sturtz called down House Bill 1222 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1222-2)

Mr. Speaker: I move that House Bill 1222 be amended to read as follows:

Page 1, delete lines 1 through 17

Page 2, delete lines 1 through 12.

Page 3, line 20, delete "As used in this chapter, "listing"" and insert ""**Listing**"".

Page 3, line 24, delete "As used in this chapter, "telephone" and insert ""**Telephone**"".

Page 3, line 26, delete "As used in this chapter, "telephone" and insert ""**Telephone**"".

Page 3, line 36, delete "As used in this chapter, "telephone" and insert ""**Telephone**"".

Renumber all SECTIONS consecutively.

(Reference is to HB 1222 as printed January 31, 2001.)

M. SMITH

Motion prevailed.

HOUSE MOTION
(Amendment 1222-7)

Mr. Speaker: I move that House Bill 1222 be amended to read as follows:

Page 2, between lines 39 and 40, begin a new line block indented and insert:

"(7) **A telephone call made by a person licensed under IC 25 if:**

(A) **the sale of goods or services is not completed; and**

(B) **the payment or authorization of payment is not required;**

until after a face to face sales presentation by the seller.".

(Reference is to HB 1222 as printed January 31, 2001.)

STURTZ

Motion prevailed.

HOUSE MOTION
(Amendment 1222-8)

Mr. Speaker: I move that House Bill 1222 be amended to read as follows:

Page 3, between lines 19 and 20, begin a new paragraph and insert: "**Sec. 6. "Fund" refers to the consumer protection division telephone solicitation fund established by IC 24-4.7-3-6.**"

Page 3, line 20, delete "6" and insert "7".

Page 3, line 24, delete "7" and insert "8".

Page 3, line 26, delete "8" and insert "9".

Page 3, line 36, delete "9" and insert "10".

Page 3, delete lines 41 through 42, begin a new paragraph and insert:

"**Sec. 1. (a) A quarterly listing of telephone numbers of Indiana consumers who request not to be solicited by telephone shall be established, maintained, and published as provided in this section.**

(b) The telephone number of a consumer shall be placed on the listing if the consumer requests to be added to the listing according to a procedure approved by the division.

(c) The listing shall be updated upon receipt of a request from a consumer.

(d) A telephone solicitor may obtain a copy of the listing upon request of the telephone solicitor as provided in this section.

(e) The division shall establish a fee to be paid by a telephone solicitor for obtaining a copy of the listing. The fee established under this subsection may not exceed the amount necessary to cover the cost of providing the listing to telephone solicitors.

(f) A copy of the listing shall be provided free of charge to an organization whose purpose is to create a list of names of Indiana consumers who do not want calls from telephone solicitors. The organization may disseminate the listing to its members instead of a member purchasing the listing under this section. To obtain the listing, the organization must provide the name, address, and business telephone number of each of the organization's members to whom the listing will be disseminated.

Sec. 2. (a) The division may contract with an agent to perform the division's duties under section 1 of this chapter.

(b) If the division enters into a contract under this section, the division must retain the ultimate authority for the following:

(1) Approval of the procedures for establishment, maintenance, and publication of the listing.

(2) Establishing fees required by section 1 (e) of this chapter."

Page 4, delete lines 1 through 23.

Page 5, line 14, delete "fees" and insert "**revenue**".

(Reference is to HB 1222 as printed January 31, 2001.)

STURTZ

Motion prevailed. The bill was ordered engrossed.

House Bill 1416

Representative Ayres called down House Bill 1416 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1416-2)

Mr. Speaker: I move that House Bill 1416 be amended to read as follows:

Page 2, line 1, delete "ten" and insert "**fifteen**".

Page 2, line 2, delete "\$10,000" and insert "**(\$15,000)**".

(Reference is to HB 1416 as printed February 1, 2001.)

AYRES

Motion prevailed.

HOUSE MOTION
(Amendment 1416-1)

Mr. Speaker: I move that House Bill 1416 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

" **SECTION 1. IC 31-16-12-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE IMMEDIATELY UPON PASSAGE]: Notwithstanding any other law, all orders and awards contained in a child support decree may be enforced by:**

(1) contempt, including the provisions under IC 31-16-12-6;

(2) assignment of wages or other income; or

(3) any other remedies available for the enforcement of a court order; except as otherwise provided by IC 31-16-2 through IC 31-16-11 or this chapter.

"**SECTION 2. IC 31-16-12-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE IMMEDIATELY UPON PASSAGE]: If the court finds that a party is delinquent as a result of an intentional violation of an order for support, the court may find the party in contempt of court. If an action or request to enforce payment of a child support arrearage is commenced not later than ten (10) years after:**

(1) the eighteenth birthday of the child; or

(2) the emancipation of the child;

whichever occurs first, the court may, upon a request by the person or agency entitled to receive child support arrearages, find a party in contempt of court. The court may order a party who is found in contempt of court under this section to perform community service without compensation in a manner specified by the court."

Renumber all SECTIONS consecutively.

(Reference is to HB 1416 as printed February 1, 2001.)

THOMPSON

Motion prevailed. The bill was ordered engrossed.

House Bill 1423

Representative Bauer called down House Bill 1423 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1423-1)

Mr. Speaker: I move that House Bill 1423 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 20-1-18-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001 (RETROACTIVE)]: Sec. 7. (a) Two (2) or more school corporations may cooperate to establish and maintain or supervise schools or departments for vocational education if the governing bodies of these school corporations agree to cooperate and apportion the cost of the schools or departments among the school corporations.

(b) If the cooperating school corporations agree to establish and maintain or supervise the schools or departments under subsection (a), the heads of these school corporations or their delegated representatives constitute a board for the management of the schools or departments. The board may adopt a plan of organization, administration, and support for the schools or departments. This plan, if approved by the Indiana state board of education, constitutes a binding contract between the cooperating school corporations.

(c) **This subsection does not apply to the withdrawal of a course offering from a cooperative agreement.** The governing bodies of the cooperating school corporations may cancel or annul this contract by the vote of a majority of these governing bodies and upon the approval of the Indiana state board of education. ~~However, in addition, the governing body of a cooperating school corporation may withdraw from a cooperative agreement that does not include an expiration date by doing the following:~~

(1) **Providing written notice of the school corporation's intent to withdraw from the cooperative agreement to the governing bodies of the other cooperating school corporations at least sixty (60) days before the date the school corporation's withdrawal becomes effective.**

(2) **Providing written notice of the school corporation's intent to withdraw from the cooperative agreement to the Indiana state board of education at least sixty (60) days before the date the school corporation's withdrawal becomes effective.**

(d) **This subsection applies only to the withdrawal of a course offering from a cooperative agreement.** If a school corporation desires to withdraw a course offering from the cooperative agreement after:

(1) attempting to withdraw the course offering under any withdrawal procedure authorized by the school corporation's cooperative agreement or by law; and

(2) being denied the authority to withdraw the course offering; the school corporation may appeal the denial to the Indiana state board of education. In the appeal, a school corporation must submit a proposal requesting the withdrawal to the Indiana state board of education for approval. The proposal must describe how the school corporation intends to implement the particular vocational education course and must include a provision that provides for at least a two (2) year phase-out of the educational program or course offering from the cooperative agreement. Upon approval of the proposal by the Indiana state board of education, the school corporation may proceed with the school corporation's withdrawal of the course offering from the agreement and shall proceed under the proposal. This withdrawal procedure may not be construed to permit a school corporation to change any other terms of the contract under subsection (b) except those terms that require the school corporation to provide the particular course offering sought to be withdrawn.

(~~4~~) (e) The board described in subsection (b) may enter into an agreement to acquire sites, buildings, and equipment by lease or

purchase that are suitable for these schools or departments. This authority extends to the acquisition of facilities available under IC 21-5-11.

(~~e~~) (f) This board may, by resolution adopted by a majority of the board, designate three (3) or more individuals from its membership to constitute an executive committee. To the extent provided in the resolution, this committee shall exercise the authority of the full board in the management of the school and shall submit a written summary of its actions to the full board at least semiannually.

(g) **If a school corporation that withdraws from a cooperative agreement without the vote of a majority of the cooperating school corporations under subsection (c) is a party to a lease agreement with the other cooperating school corporations, the withdrawing school corporation must continue to make the lease payments required by the lease agreement.**

Renumber all SECTIONS consecutively.

(Reference is to HB 1423 as printed February 1, 2001.)

BAUER

Motion prevailed. The bill was ordered engrossed.

House Bill 1941

Representative Leuck called down House Bill 1941 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1941-1)

Mr. Speaker: I move that House Bill 1941 be amended to read as follows:

Page 2, line 14, delete "subsection (d)" and insert " **subsection (e)**".

Page 2, line 15, delete "subsection (e)" and insert " **subsection (g)**".

Page 2, between lines 22 and 23, begin a new paragraph and insert:

"**(d) If an election is made as described in subsection (e), the state board of tax commissioners shall determine under subsection (g) the unit value on a consolidated basis of the following public utility companies:**

(1) **A not-for-profit corporation organized under IC 23-17 whose members are local district corporations (as defined in IC 8-1-13-23(b)).**

(2) **Each local district corporation (as defined in IC 8-1-13-23(b)) that is a member of the not-for-profit corporation under subdivision (1).**"

Page 2, line 23, delete "(d)" and insert "(e)".

Page 2, line 24, delete "e" and insert "(g)".

Page 2, line 24, delete "the general" and insert ":".

Page 2, delete lines 25 through 27, begin a new line block indented and insert:

"**(1) the general district corporation and all of the local district corporations that are members of the general district corporation; or**

(2) the not-for-profit corporation and all of the local district corporations that are members of the not-for-profit corporation.

(f) The corporations must make the election under subsection (e) annually."

Page 2, line 28, delete "(e)" and insert "(g)".

Page 2, line 28, after "subsection (c)" insert " **or (d)**".

Page 2, line 29, delete "subsection (d)" and insert " **subsection (e)**".

Page 2, line 38, delete "IC 6-1.1-8-26(d)" and insert "**IC 6-1.1-8-26(e)**".

(Reference is to HB 1941 as printed February 1, 2001.)

LEUCK

Motion prevailed. The bill was ordered engrossed.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1419

Representative Bauer called down Engrossed House Bill 1419 for third reading:

A BILL FOR AN ACT Code concerning education finance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 30: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator R. Meeks.

Engrossed House Bill 1420

Representative Bauer called down Engrossed House Bill 1420 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education finance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 31: yeas 92, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators R. Meeks and Simpson.

Engrossed House Bill 1434

Representative L. Lawson called down Engrossed House Bill 1434 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 32: yeas 91, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Antich.

Engrossed House Bill 1479

Representative Bauer called down Engrossed House Bill 1479 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 33: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Borst and Simpson.

Engrossed House Bill 1618

Representative Welch called down Engrossed House Bill 1618 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning blood and breath alcohol concentrations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 34: yeas 89, nays 6. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Wyss.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture, Natural Resources and Rural Development, to which was referred House Bill 1075, has

had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 5, delete lines 24 through 33.

(Reference is to HB 1075 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

LYTLE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture, Natural Resources and Rural Development, to which was referred House Bill 1212, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, after line 8, begin a new paragraph and insert:

"SECTION 2. IC 15-1.5-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. "Agricultural interest" means any of the following:

(1) The Farm Bureau, Inc.

(2) The Farmers' Union.

(3) The Grange.

(4) The National Farmers Organization.

(5) A county or other regularly organized agricultural fair, including county 4-H fairs.

(6) The beef cattle industry.

(7) The dairy cattle industry.

(8) The grain growers' industry.

(9) The home economic clubs.

(10) The horticulture industry.

(11) Horse associations.

(12) The poultry industry.

(13) The sheep industry.

(14) The swine industry.

(15) The vegetable growers' industry.

(16) County cooperative extension boards.

(17) Soil and water conservation districts."

(Reference is to HB 1212 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

LYTLE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture, Natural Resources and Rural Development, to which was referred House Bill 1302, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 13, nays 0.

LYTLE, Chair

Report adopted.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that Representative Dillon be added as coauthor of House Bill 1054.

STILWELL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Porter be added as coauthor of House Bill 1096.

BAUER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Atterholt and Turner be added as coauthors of House Bill 1100.

CROOKS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Buell be added as coauthor of House Bill 1361.

MOSES

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Espich be added as coauthor of House Bill 1420.

BAUER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Espich and Wolkins be added as coauthors of House Bill 1479.

BAUER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Aguilera be added as coauthor of House Bill 1589.

WEINZAPFEL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Turner and Kruse be added as coauthors of House Bill 1618.

WELCH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Weinzapfel be added as coauthor of House Bill 1721.

MOSES

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Budak and Becker be added as coauthors of House Bill 1799.

CHENEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Kuzman be added as coauthor of House Bill 1824.

WEINZAPFEL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Pelath be added as coauthor of House Bill 1924.

MOSES

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative D. Young be added as coauthor of House Bill 1925.

MOSES

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Kruse be added as coauthor of House Bill 1941.

LEUCK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Friend be added as coauthor of House Bill 1948.

WELCH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative M. Smith be added as coauthor of House Bill 1962.

STILWELL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Cheney be added as coauthor of House Bill 2124.

DICKINSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Kruzan be added as coauthor of House Bill 2128.

KLINKER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Stilwell be added as coauthor of House Joint Resolution 4.

AVERY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Stevenson and L. Lawson be added as coauthors of House Concurrent Resolution 15.

AGUILERA

Motion prevailed.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Avery the House adjourned at 4:20 p.m., this fifth day of February, 2001, until Thursday, February 8, 2001, at 10:00 a.m.

JOHN R. GREGG

Speaker of the House of Representatives

LEE ANN SMITH

Principal Clerk of the House of Representatives